

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
vs.) Case No.: 4:09-cr-96-RWS (DDN)
)
ANTHONY RIZZUTI,)
)
 Defendant.)

MOTION TO WITHDRAW PRIOR MOTION FOR COURT ORDER
AND TO SET ASIDE THIS COURT’S PRIOR ORDER

COMES NOW Defendant, Anthony Rizzuti, by and through counsel, and hereby moves this Court to withdraw his October 1, 2013 motion for a court order and to set aside the prior order issued by this Court. In support of this motion, Defendant states as follows:

1. On October 1, 2013, Defendant moved this Court to order the Bureau of Prisons to permit Defendant “to participate in and complete a cardiopulmonary resuscitation course by November 15, 2013.”
2. On that same date, this Court granted Defendant’s motion, provided Defendant assumed all costs incurred by the Bureau in connection with his participation and completion of the course.
3. At the time, Defendant’s caseworker expressed no objection to Defendant’s request and, for that same reason, neither did the Office of the United States Attorney.
4. Since October 1, 2013, officials within the Bureau of Prisons have expressed an objection to Defendant’s request and shared this objection with the Office of the United States

Attorney.

5. As a result of this objection and in an effort to work with the Bureau of Prisons and not against them, Defendant now moves this Court to (1) withdraw his motion of October 1, 2013 and to (2) set aside the order issued on that same date.

WHEREFORE, Defendant respectfully requests this Honorable Court withdraw his October 1, 2013 motion for a court order and to set aside the prior order issued by this Court.

Respectfully submitted,

ROSENBLUM, SCHWARTZ, ROGERS & GLASS, PC

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2013, the foregoing was electronically filed with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Mr. Robert F. Livergood, assistant United States attorney.